

MESSAGE NO: 4330302 MESSAGE DATE: 11/26/2014

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: ADRV-Administrative Review

FR CITE: 79 FR 64746 FR CITE DATE: 10/31/2014

REFERENCE 2353309, 4323301
MESSAGE #
(s):

CASE #(s): A-533-975, A-570-836

EFFECTIVE DATE: 10/31/2014 COURT CASE #: 14-00296

PERIOD OF REVIEW: 03/01/2012 TO 02/28/2013

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for glycine from the People's Republic of China exported by PRC-wide entity for the period 03/01/2012 through 02/28/2013 (A-570-836 and A-533-975)

1. For all shipments of glycine from the People's Republic of China exported by the PRC-wide entity (A-570-836-000) entered, or withdrawn from warehouse, for consumption during the period 03/01/2012 through 02/28/2013, assess an antidumping liability equal to 453.79 percent of the entered value of subject merchandise.

2. In previous reviews Commerce determined that the firms listed below were not eligible for a separate rate and were considered part of the PRC-wide entity. However, entries may have continued to enter under the case numbers referenced below during the period 03/01/2012 through 02/28/2013.

Therefore, entries of glycine from the People's Republic of China for the firms listed below, entered, or withdrawn from warehouse, for consumption during the period 03/01/2012 through 02/28/2013 should be liquidated in accordance with the assessment instructions listed in paragraph 1 above for the PRC-wide entity.

Manufacturer: Baoding Mantong Fine Chemistry Co., Ltd.

Exporter: Baoding Mantong Fine Chemistry Co., Ltd.

Case Number: A-570-836-004

Exporter: Baoding Mantong Fine Chemistry Co., Ltd.

Case Number: A-570-836-005

Manufacturer: Hebei Donghua Jiheng Fine Chemical Co., Ltd.

Exporter: Hebei Donghua Jiheng Fine Chemical Co., Ltd.

Case Number: A-570-836-006

3. On 12/10/2012, Commerce published in the Federal Register its final affirmative determination of circumvention of the antidumping duty order on glycine from the PRC (A-570-836) (77 FR 73426). Commerce determined that all glycine produced and/or exported by AICO Laboratories

India Ltd. and Salvi Chemical Industries Limited was circumventing the antidumping order, and created case number A-533-975 to accommodate entries of merchandise classified with India as the country of origin for Customs purposes but subject to the antidumping duty order on glycine from the PRC. See message number 2353309, dated 12/18/2012.

Therefore, all entries of glycine produced and/or exported by AICO Laboratories India Ltd. and Salvi Chemical Industries Limited and entered, or withdrawn from warehouse, for consumption during the period 03/01/2012 through 02/28/2013 should be liquidated in accordance with the assessment instructions listed in paragraph 1 above for the PRC-wide entity.

Indian producer and/or exporter: Salvi Chemical Industries Limited

PRC supplier/producer: PRC-wide entity

Case number: A-533-975-001

Cash deposit rate: 453.79 percent

Indian producer: Salvi Chemical Industries Limited

PRC supplier/producer: Baoding Mantong Fine Chemistry Co., Ltd.

Case number: A-533-975-002

Cash deposit rate: 453.79 percent

Indian producer and/or exporter: AICO Laboratories India Ltd.

PRC supplier/producer: PRC-wide entity

Case number: A-533-975-061

Cash deposit rate: 453.79 percent

Indian producer: AICO Laboratories India Ltd.

PRC supplier/producer: Baoding Mantong Fine Chemistry Co., Ltd.

Case number: A-533-975-062

Cash deposit rate: 453.79 percent

4. The notice of lifting of suspension of liquidation for entries of subject merchandise covered by paragraphs 1, 2 and 3 occurred with the publication of the final results of administrative review (79 FR 64746, 10/31/2014). Unless instructed otherwise, for all other shipments of glycine from the People's Republic of China, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current cash deposit rates or per-unit amounts.

5. The injunction with court number 14-00296 in message number 4323301, dated 11/19/2014, is applicable to the entries which were entered, or withdrawn from warehouse, for consumption

during the period 03/01/2012 through 02/28/2013, and were exported by Evonik Rexim (Nanning) Pharmaceutical Co. Ltd. or Evonik Rexim S.A.S. and were the subject of the final results of administrative review (79 FR 64746, 10/31/2014). Accordingly, until further notice continue to suspend liquidation of these entries until liquidation instructions are issued.

6. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OVI:EAA.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party